

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

June 22, 2011

Lyle W. Cayce  
Clerk

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No. 11-60032  
Summary Calendar

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EMMA J. MILLER, Individually and as  
Personal Representative of the Estate of Jasper Pruitt, Deceased,

Plaintiff-Appellant,

versus

ONEBEACON INSURANCE COMPANY,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 1:09-CV-273

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Before DAVIS, SMITH, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Emma Miller sued OneBeacon Insurance Company, seeking additional

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 11-60032

compensation for the unskilled nursing services she had provided to Jasper Pruitt because of his work-related injury. The district court granted summary judgment because the Mississippi Workers' Compensation Commission has already ruled on Miller's claim for compensation, which is thus barred under the doctrine of res judicata. In its thorough Memorandum Opinion dated December 16, 2010, the court held that Miller has not presented evidence that OneBeacon acted in bad faith or that she is entitled to punitive damages.

We have reviewed the briefs and pertinent portions of the record and have consulted the applicable law. The summary judgment is AFFIRMED, essentially for the reasons stated by the district court.